

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include the addition of the words "PRIOR ART" in the page header.

Attachment: Replacement sheets

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Applicants further thank the Examiner for the assistance and clarification provided with respect to the basis and nature of the claim rejections made in the present Office Action.

Claims 8-14, and 22-30 are pending in the present application. Claims 1-7 and 15-21 are cancelled. Claims 8 and 22 are independent claims. Claims 8, 10, 13, 14, 22, 24, 27, and 28 are amended. Claims 29 and 30 are new.

Scope of Amendments

Applicants respectfully assert that the amendments made to independent claims 8 and 22 do nothing more than convert these claims from dependent to independent by explicitly stating claim limitations previously incorporated by reference. Now new matter has been added to, or removed from, claims 8 and 22. The scope and substance of these claims remains unchanged.

Drawing Objections

The Examiner objects to Figures 1-3 as being improper for not having been designated as prior art. Applicants submit amended drawings with this response that indicate Figures 1-3 as prior art.

Rejections under 35 U.S.C. §102(b)

Claims 1-7, 13, 15-21, and 27 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication 2002/0038228 by Waldorf et al. (hereafter "Waldorf"). Claims 13 and 27 are amended to depend from independent claims 8 and 22 respectively, and the other identified claims have been cancelled, rendering this rejection moot.

Claims 12, 14, 26, and 28 were originally listed as being rejected under 35 U.S.C. §102(b) as being anticipated by Waldorf. This was clearly in error in that these claims depended on claims rejected under 35 U.S.C. §103(a). Applicants attorneys accordingly spoke with

Examiner on October 29, 2007 and the Examiner requested Applicants to regard these claims as being rejected under 35 U.S.C. §103(a).

Rejections under 35 U.S.C. §103(a)

Claims 8-12, 14, 22-26, and 28 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Waldorf in view of U.S. Patent 6,856,970 to Campbell et al. (hereafter "Campbell"). Insofar as it pertains to the presently pending claims, this rejection is respectfully traversed.

Waldorf teaches a method for "increasing efficiencies of distributed business processes under the control of multiple computer systems." (Para. 0003). Specifically, Waldorf teaches creating a model of a business process and monitoring the starting times and durations of activities within an instance of that process. (Paras 0013, 0034). Waldorf further teaches tracking activities in a database, so that the status of any activity, as well as any child activities it may initiate or parent activities associated with it, are tracked to determine what the overall status of the process is. (Paras. 0067-0070).

With respect to independent claims 8 and 22 the Office Action admits that Waldorf fails to teach the limitation of "preventing access to instance database records containing out-of-order data reflecting completion of a processing step for an instance but not reflecting completion of a sequentially prior processing step for the instance" as required by independent claim 8. (Page 6 of Office Action). The Office Action relies on Campbell to teach this missing element.

Campbell teaches "an electronic financial transaction system capable of reporting and instruction across multiple financial institutions." (Col. 2, lines 49-50). Although Campbell discloses the use of a 'gatekeeper' to "limit the scope of the accessible data by excluding those that are in the process of being uploaded," (Col. 17, lines 30-31) there is no teaching or suggestion of restricting access to already uploaded data that is out of sequence. Although Campbell states that the purpose of the gatekeeper is to "synchronize the load and data tables and to prevent access to incomplete or inconsistent data," (Col. 17, lines 46-48) Campbell does not teach or suggest a way of handling the relationship between data from a particular application and any missing data from a prior application.

Campbell does not teach or suggest restricting or otherwise managing out of sequence data, and is only concerned with restricting access to incomplete data being uploaded from an application, not out-of-sequence data already present in the system. The underlying assumption in Campbell's 'gatekeeper' feature is that any incomplete or inconsistent data is a result of not-yet-loaded subsequent transactions from an application. Campbell's example of a list of balances associated with financial transactions (Col. 17, lines 34-35) assumes a consistent date or time range for at least one of the balances or the transactions. If both data sets contain different gaps, Campbell's approach would permit the display of subsequent transactions with balances despite immediately prior transaction / balance combinations being absent from the data. Campbell therefore does not teach or suggest "preventing access to instance database records containing out-of-order data reflecting completion of a processing step for an instance but not reflecting completion of a sequentially prior processing step for the instance" as required by independent claims 8 and 22.

With respect to dependent claims 9-14 and 23-28, Applicants respectfully submit that these claims are allowable at least by virtue of their dependence on independent claims 8 and 22.

For at least the above reasons, Applicants respectfully submit that neither Waldorf nor Campbell, either alone or in combination (assuming the references can be combined, which Applicants do not admit) teach all the features and limitations of independent claims 8 and 22. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection with respect to independent claims 8 and 22, as well as all claims depending therefrom.

New Claims

With respect to new claims 29 and 30, Applicants respectfully submit that these claims are patentable over the prior art applied for at least the same reasons as set forth with respect to claims 8 and 22.

Conclusion

In view of the above amendment and remarks, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Michael K. Mutter Reg. No. 29,680 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: January 23, 2008

Respectfully submitted,

By 

Michael K. Mutter

Registration No.: 29,680

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant